

Message Text

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C O N F I D E N T I A L TEHRAN 03699

E.O. 11652: GDS
TAGS: ENRG, MNUC, TECH, PARM

SUBJ: NEGOTIATION OF AGREEMENTS FOR PEACEFUL NUCLEAR
COOPERATION--COMPARISON BETWEEN MODEL AND US-GOI
VERSION

REF: STATE 093306

1. EMBASSY HAS REVIEWED SUBJECT MODEL AGREEMENT FOR
COMPARISON WITH MARK-UP OF US-GOI VERSION, PREPARED
IN VIENNA WHEN DEPUTY ASSISTANT SECRETARY NOSENZO
LAST MET WITH MANZOOR OF AEOI. COMMENTS WHICH FOLLOW
ARE PROVIDED TO HELP DEPARTMENT IN PREPARATION OF ARTICLE
BY ARTICLE COMMENTARY (SEE REFTEL PARA 3 SECTION 1),
WHICH MAY PROVE USEFUL AS BACKGROUND TO CONTINUING
NEGOTIATIONS WITH GOI.

2. COMPARATIVE COMMENTS FOLLOW: (A) INTRODUCTORY
LANGUAGE OF THE US-GOI VERSION STRESSES FURTHERANCE
OF NPT OBJECTIVES. DRAFT MODEL STRESSES, PER SE,
PREVENTING THE PROLIFERATION OF NUCLEAR EXPLOSIVE
DEVICES. (B) ARTICLE 4 (TRANSFER OF EQUIPMENT AND
MATERIAL). PARA 2 OF THE US-GOI VERSION GOES BEYOND
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THE MODEL TO ASSURE THE GOI THE OPPORTUNITY TO RECEIVE
THAT PORTION OF SEPARATIVE WORK OUTPUT (AS A MINIMUM) TO
WHICH THEY ARE ENTITLED AS CONSEQUENCE OF A GOI INVEST-
MENT IN ANY URANIUM ENRICHMENT FACILITY IN THE UNITED
STATES. PARA 7 OF THE US-GOI VERSION GOES BEYOND THE
MODEL BY STATING THAT QUOTE THE U.S. SHALL ENDEAVOR
TO ASSURE THAT IRAN DERIVES THE FULL BENEFIT OR MULTILATERAL

FUEL ASSURANCES THAT MAY EVOLVE DURING THE PERIOD OF THIS AGREEMENT UNQUOTE. (C) ARTICLE 9 (SAFEGUARDS). PARA 1 OF THE US-GOI VERSION PROVIDES THE RIGHT TO THE U.S. TO REVIEW THE DESIGN OF ANY REACTOR, AND OTHER EQUIPMENT WHICH ARE TO BE TRANSFERRED PURSUANT TO THIS AGREEMENT TO IRAN OR OF ANY FACILITY RPT OF ANY FACILITY, ETC. THE MODEL AGREEMENT DOES NOT SPECIFY THIS U.S. RIGHT. PARAS 4 AND 5 OF THE US-GOI VERSION HAVE THE FOLLOWING LANGUAGE WHICH IS ADDITIONAL TO THAT IN THE MODEL AGREEMENT. QUOTE THE AGREEMENT BETWEEN IRAN AND THE IAEA PURSUANT TO ARTICLE III(4) OF NPT SATISFIES THIS REQUIREMENT UNQUOTE. PARA 7 OF THE U.W-GOI VERSION APPEARS TO BE NARROWER IN ITS INTENT THAN SAME PARA OF MODEL. LATTER REFERS TO SAFEGUARDS REQUIRED BY THE AGREEMENT; US-GOI VERSION REFERS TO MEASURES TO MAINTAIN AND FACILITATE APPLICATION OF SAFEGUARDS PROVIDED FOR UNDER THIS ARTICLE. (D) ARTICLE 11 (CESSATION OF COOPERATION). THE MODEL AGREEMENT GIVES THE U.S. BROADER RIGHTS FOR CESSATION OF COOPERATION THAN DOES THE US-GOI VERISION. (E) ARTICLE 13 (CONSULTATIONS). THE MODEL AGREEMENT IS MORE EXPLICIT RE COOPERATION IN THE PROTECTION OF THE INTERNATIONAL ENVIRONMENT. THE US-GOI VERSION REFERS TO DEVELOPMENT OF FURTHER COOPERATION IN THIS AREA. (F) ARTICLE 14 (FINAL PROVISION). PARA 1 OF THE MODEL HAS THE LINE MISSING (SEE REFTTEL) WHICH IDENTIFIES

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THE INITIAL PERIOD DURING WHICH THE AGREEMENT SHALL REMAIN IN FORCE. THE US-GOI VERSION SPECIFIES THE INITIAL PERIOD OF FIFTEEN YEARS.

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